

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
)	
vs.)	CRIMINAL ACTION 10-00088-KD
)	
SHEDRICK MARKAEL ROGERS,)	
)	
Defendant.)	

ORDER

This action is before the Court on the United States' motion for reconsideration of this Court's order denying defendant Shedrick Markael Rogers' motion for Privacy Act order (doc. 50). The United States explains that it understands that defense counsel intends to argue that Rogers is mentally incompetent and because of that circumstance, disclosure of Rogers' records without a court order may expose the United States to the risk of civil litigation under 5 U.S.C. § 552a(g)(1)(d) on the basis that Rogers' consent was ineffective. Upon re-consideration, the motion for Privacy Act order is **GRANTED**.

Accordingly, pursuant to the Privacy Act, 5 U.S.C. § 552a(b)(11), the Federal Bureau of Prisons and Lisa P. Feldman, Psy.D., are **ORDERED** to comply with the subpoena, and it is further **ORDERED** that the Federal Bureau of Prisons and Lisa P. Feldman, Psy.D., release the raw data of testing performed as requested in the subpoena.

DONE this 30th day of December, 2010.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE